

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 672 of 2006 (M/B)

Chandrapal S/o Dharamveer,
R/o Village Sakunia, P.S. Gadarpur,
District Udham Singh. Petitioner

Versus

1. State of Uttaranchal.
2. Senior Superintendent of Police,
District Udham Singh Nagar.
3. Station House Officer,
P.S. Gadarpur, District Udham Singh Nagar.
4. Pradeep Kumar Verma,
S/o Late Samser Bahadur Verma,
R/o Village Sakaunia,
P.S. Gadarpur,
District Udham Singh Nagar. Respondents

Mr. M.K. Goyal, Advocate for the petitioner.
Mr. D.K. Sharma, Government Advocate for respondents Nos. 1 to 3.
None for respondent No. 4.

JUDGMENT

**Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.**

RAJEEV GUPTA, C. J. (Oral)

Mr. M.K. Goyal, Advocate for the petitioner.

Mr. D.K. Sharma, Government Advocate for respondents Nos. 1
to 3.

None for respondent No. 4.

They are heard on admission.

2. Petitioner Chandrapal is seeking quashing of the First Information Report and the case registered against him at Crime No. 545 of 2006 at Police Station Gadarpur, District Udham Singh Nagar for the alleged commission of the offence punishable under Section 302 of the I.P.C.

3. According to the First Information Report lodged by respondent No. 4 Pradeep Kumar Verma, petitioner Chandrapal is alleged to have fired at Shamsheer Bahadun in broad day light on 22.05.2006 resulting in his instantaneous death on the spot itself.

4. On due consideration of the serious nature of the allegations against petitioner Chandrapal, we do not find any ground for quashing of the First Information Report and the case registered against him for the alleged commission of the offence punishable under Section 302 of the I.P.C.

5. The writ petition, therefore, fails and is, hereby, dismissed summarily.

6. Consequently, CLMA No. 6838 of 2006 also stands dismissed.

(Prafulla C. Pant, J.)
12.06.2006

(Rajeev Gupta, C. J.)
12.06.2006

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